

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

PLANNED PARENTHOOD
GREATER MEMPHIS REGION and
PLANNED PARENTHOOD OF MIDDLE
AND EAST TENNESSEE,

Plaintiffs,

v.

JOHN J. DREYZEHNER, Commissioner,
Tennessee Department of Health

Defendant.

No.: 3:12-CV-0139

Judge Haynes

Amend
The parties have seen
(10) days from the date of
the order to submit a
revised case
management
order

DEFENDANT'S PROGRESS REPORT

On March 30, 2012, the parties appeared for an initial case management conference. Because the parties informed the Court that they were attempting to reach an agreement that would resolve this case, the Court did not enter a case management order, but instead ordered the parties to report back on their progress. (Doc. 38). On April 30, 2012 and on May 24, 2012, the parties filed reports on their progress. (Docs. 39 and 41).

Before the parties were able to conclude negotiations and achieve and finalize agreement upon all matters, however, the law governing the substantive issues of the case unexpectedly became uncertain. On August 21, 2012, the Fifth Circuit Court of Appeals issued its decision in *Planned Parenthood Assoc. of Hidalgo County Texas, Inc. v. Suehs*, 692 F.2d 343 (5th Cir. 2012). The Fifth Circuit vacated the preliminary injunction that had been issued by the district court, holding that the trial court had erred in concluding that a Texas state regulation which had the effect of excluding the Planned Parenthood providers from providing their services through